

REMARKS

Claims 1, 2, 4-7, 13, 17, and 29-42 are pending in the current application, with claims 35-42 being newly presented for examination by this Amendment. Claims 1, 2, 4-7, 13, 17, and 29-31 currently stand rejected, and claims 1, 2, 4-7, 13, 17, 29, and 34 have been amended. Reconsideration and allowance of claims 1, 2, 4-7, 13, 17, and 29-42 are respectfully requested in light of the preceding amendments and following remarks.

Examiner Interview

Applicants thank Examiner Choi for his time and consideration during the telephonic interview of February 5, 2009. During the interview, the parties discussed the objections to the specification and rejections to the claims over applied art. The Examiner indicated that reverting the specification and claims to their original form, using the phrasing “recording medium” instead of “computer-readable medium,” would overcome the current objections. Applicants have amended the specification and claims in accordance with this indication. Applicants further proposed amendments to the claims including clarifying that a plurality of navigation units each correspond to one of a plurality of data playing units and that a flag in each navigation unit controls reproduction permissions for each corresponding data playing unit. The Examiner indicated that this amendment appeared to overcome the Hamada reference, as applied, and that further search and consideration would be necessary to reject or allow the claims as amended. Applicants have amended the claims similarly to the proposed claim amendments, using a “plurality of

navigation units" instead of the proposed "plurality of resume flags" and earnestly solicit the results of said further consideration and search in the next office communication.

Objections to the Specification

The Examiner objects to the specification and claims as amended in the September 3, 2008 and March 27, 2008 Amendments for introducing new matter, because the terms "computer-readable medium" lacks support in the application as filed. Applicants respectfully submit that the specification is replete with discussion of recording media such as high-density optical disks that are readable with a computer. Thus, Applicants disclosed and demonstrated possession of several computer-readable media in describing the various recording media in the specification, and amendments to this effect do not introduce new matter. However, in order to expedite prosecution, Applicants have amended paragraph [0023] and the claims to remove the term "computer-readable medium" and instead recite the original, broader "recording medium" phrase, encompassing computer-readable media.

Because the specification as amended contains written description support for each claim as amended, no new matter has been introduced. Withdrawal of the objections to the specification and claim amendments of September 3, 2008 and March 27, 2008 is respectfully requested.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 2, 4-7, 13, 17, and 29-31 stand rejected under 35 U.S.C. § 103(a) as being obvious over US Pat 6,067,400 to Saeki et al. (“Saeki”) in view of US pat pub 2002/0071351 to Hamada et al. (“Hamada”). Applicants respectfully traverse this rejection for the reasons detailed below.

With regard to claim 1, the Examiner applies Hamada to teach the “resume flag” in that claim. Applicants respectfully note that claim 1 has been amended to clarify that there are “**a plurality of navigation information units**” each corresponding to a “data playing unit.” Further, “**each navigation information unit** includ[es] a resume flag indicating whether resumption of reproduction of **a corresponding data playing unit** of the data playing units at a suspended position is permitted or prohibited.” Hamada teaches a resume flag in a single VOLUME.TOC file that **does not correspond to a particular video object**. The flag in VOLUME.TOC controls whether resumption **of any and all data** on the optical disc is permitted following ejection and reinsertion of the disc. *See* Hamada, ¶ [0242]; FIG. 38. A single volume file and flag for all disc data cannot meet the 1-to-1 correspondence and reproduction control recited in claim 1. Thus, Hamada lacks several navigation information units each corresponding to a particular data playing unit and individually controlling resumption of the particular data playing unit, as recited in claim 1 as amended.

Because Saeki, alone or in combination with Hamada, fails to teach or suggest each and every feature of claim 1, these references cannot anticipate or

render obvious claim 1. Claims 13 and 17 have been amended to include the same unique element of claim 1, discussed above, and are thus equally allowable over Saeki and Hamada. Claims 2, 4-7, and 29-31 are allowable at least for depending from an allowable base claim. Withdrawal of the rejection to claims 1, 2, 4-7, and 29-31 under 35 U.S.C. § 103(a) is respectfully requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1, 2, 4-7, 13, 17 and 29-42 in connection with the present application is earnestly solicited.

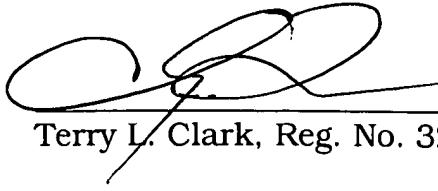
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Terry L. Clark at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By



Terry L. Clark, Reg. No. 32,644

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

RA
TLC/REA: tlt